

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 USIE-00 SAB-02 DHA-02 INRE-00 SSO-00
NSCE-00 PRS-01 SS-15 NSC-05 CIAE-00 INR-07 NSAE-00
SCS-03 SCA-01 L-03 H-01 EB-08 /059 W
-----141917Z 037127 /42

O R 141747Z FEB 77
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC IMMEDIATE 720
INFO PANCANAL
USCINCSO

LIMITED OFFICIAL USE SECTION 1 OF 2 PANAMA 1071

E.O. 11652: N/A
TAGS: CASC, PFOR, PN (DRUMMOND, WILLIAM)
SUBJECT: DETENTION AND RELEASE OF WILLIAM DRUMMOND

REF: PANAMA 1034

FOLLOWING NOTE WAS DELIVERED APPROXIMATELY 12:15,
FEBRUARY 14, 1977:

QUOTE: NO. 14

EXCELLENCY:

I HAVE THE HONOR TO REFER TO THE AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF PANAMA ON
AIR TRANSPORTATION SERVICES, WHICH ENTERED INTO FORCE ON APRIL 14,
1949, AND IN THIS CONNECTION TO CALL YOUR EXCELLENCY'S
ATTENTION CERTAIN EVENTS WHICH OCCURED AT TOCUMEN
INTERNATIONAL AIRPORT ON THE MORNING OF FRIDAY, FEBRUARY
11,1977.

MR. WILLIAM DRUMMOND, AN AMERICAN CITIZEN AND
AN EMPLOYEE OF THE CANAL ZONE GOVERNMENT, WAS
SCHEDULED TO DEPART FOR THE UNITED STATES AT 9:15 A.M.

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ON FLIGHT 586 OF PAN AMERICAN AIRWAYS. MR. DRUMMOND
IS A RESIDENT OF THE CANAL ZONE, HIS PROPOSED TRIP
ORIGINATED IN THE CANAL ZONE, AND HE WAS THE IMMIGRATION
RESPONSIBILITY OF THE UNITED STATES OF AMERICA IN THE
CANAL ZONE.

IMMEDIATELY PRIOR TO HIS SCHEDULED DEPARTURE,
MR. DRUMMOND WAS DETAINED AT TOCUMEN INTERNATIONAL AIRPORT

BY OFFICIALS OF THE PANAMANIAN GOVERNMENT, AND WAS
CONVEYED BY THEM FROM THE AIRPORT TO PANAMA CITY. THERE
HE WAS QUESTIONED CONCERNING AN EXPLOSION WHICH OCCURED
IN OCTOBER 1976 UNDER AN AUTOMOBILE PARKED NEAR HIS
QUARTERS IN THE CANAL ZONE BY A DISTRICT ATTORNEY OF
THE REPUBLIC OF PANAMA. MR. DRUMMOND WAS INFORMED BY THE
PANAMANIAN GOVERNMENT OFFICIALS PRESENT THAT HE WAS
NOT CHARGED WITH ANY VIOLATIONS OF LAW. A REPRESENTATIVE
OF THE PANAMANIAN GOVERNMENT REPEATED TO THE AMERICAN
CONSUL THAT NO CHARGES WOULD BE LODGED AGAINST
MR. DRUMMOND, WHEN THE CONSUL INQUIRED AS TO MR. DRUMMOND'S
STATUS. MR. DRUMMOND WAS RELEASED AFTER QUESTIONING,
HAVING BEEN DETAINED BY THE AUTHORITIES OF THE REPUBLIC
OF PANAMA FOR APPROXIMATELY TWO AND ONE-HALF HOURS.

AS YOUR EXCELLENCY IS AWARE, ARTICLE XVII
OF THE AFOREMENTIONED AGREEMENT ON AIR TRANSPORT SERVICES
PROVIDES INTER ALIA THAT:

WITH REGARD TO PERSONS DEPARTING FROM
TOCUMEN NATIONAL AIRPORT WHO ARE THE IMMIGRATION
RESPONSIBILITY OF THE UNITED STATES OF AMERICA IN THE
CANAL ZONE, THE IMMIGRATION AUTHORITIES OF PANAMA WILL
ACCEPT AS A DEPARTURE PERMIT, AND WILL REQUIRE PRESENTATION
OF, SATISFACTORY EVIDENCE OF AUTHORIZATION TO DEPART
ISSUED BY THE APPROPRIATE AUTHORITY OF THE UNITED STATES
OF AMERICA IN THE CANAL ZONE

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PASSENGERS, CARGO AND MAIL ORIGINATING
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IN THE CANAL ZONE AND DESTINED FOR SHIPMENT FROM TOCUMEN
NATIONAL AIRPORT, OR ARRIVING AT TOCUMEN NATIONAL AIRPORT
AND DESTINED FOR THE CANAL ZONE WILL HAVE THE RIGHT OF
FREE TRANSIT THROUGH THE TERRITORY UNDER THE JURISDICTION
OF THE REPUBLIC OF PANAMA BETWEEN THE CANAL ZONE AND
TOCUMEN NATIONAL AIRPORT.

THE FOREGOING PROVISIONS CLEARLY CONTEMPLATE
THAT THE DEPARTURE OF PASSENGERS WHO ARE THE
IMMIGRATION RESPONSIBILITY OF THE UNITED STATES OF
AMERICA SHALL BE SUBJECT ONLY TO SUCH CONTROL BY
PANAMA AS IS NECESSARY FOR THEIR IDENTIFICATION, THROUGH
PRESENTATION OF A DEPARTURE PERMIT, AS PERSONS AUTHORIZED
BY THE UNITED STATES OF AMERICA TO DEPART FROM THE
CANAL ZONE. THE CLASS OF PERSONS WITH RESPECT TO WHICH
THE UNITED STATES OF AMERICA IS ENTITLED TO ASSERT
THE AFOREMENTIONED RIGHT OF FREE TRANSIT BETWEEN
THE CANAL ZONE AND TOCUMEN IS DEFINED IN ARTICLE
XVIII(G) OF THE SAME AGREEMENT AS: "THOSE PERSONS
WHO ARE ADMITTED TO THE CANAL ZONE IN ACCORDANCE

WITH THE CANAL ZONE IMMIGRATION LAWS AND REGULATIONS
AND WHO THEREBY BECOME THE IMMIGRATION CASES AND
RESPONSIBILITY, INCLUDING REPATRIATION RESPONSIBILITY,
OF THE UNITED STATES GOVERNMENT."

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ACTION ARA-10

INFO OCT-01 ISO-00 USIE-00 SAB-02 DHA-02 INRE-00 SSO-00
NSCE-00 PRS-01 SS-15 NSC-05 CIAE-00 INR-07 NSAE-00
SCS-03 SCA-01 L-03 H-01 EB-08 /059 W
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O R 141747Z FEB 77
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TO SECSTATE WASHDC IMMEDIATE 721
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IN VIEW OF THE STATEMENTS OF THE PANAMANIAN
OFFICIALS DETAINING MR. DRUMMOND THAT HE WAS NOT
BEING CHARGED WITH ANY OFFENSE, THERE IS NO
QUESTION OF THE SAID RIGHT OF FREE TRANSIT FROM THE
CANAL ZONE. CONSEQUENTLY, MR. DRUMMOND'S DETENTION
FOR NEARLY HOURS, WHICH CAUSED HIM TO MISS
HIS SHCHEDULED DEPARTURE FROM TOCUMEN AND NECESSITATED
HIS TAKING A LATER FLIGHT, CLEARLY CONSTITUTES
ACTIONS BY AUTHORITIES OF THE REPUBLIC OF PANAMA IN
CONTRAVENTION OF THE OBLIGATIONS UNDERTAKEN BY THE
REPUBLIC OF PANAMA IN THE SAID AGREEMENT OF AIR
TRANSPORT SERVICES.

ON FEBRUARY 12 MR. DRUMMOND WAS AGAIN
DETAINED AT TOCUMEN AIRPORT - - AS HE PREPARED TO
BOARD A COMMERCIAL FLIGHT TO THE UNITED STATES.
ACCORDING TO EYEWITNESSES HE WAS DETAINED FOR SOME
15 OR 20 MINUTES THEN RELEASED, CAUSING
A DELAY IN THE DEPARTURE OF THE AIRCRAFT. IN ADDITION,
SEVEN PERSONS WHO HAD ACCOMPANIED MR. DRUMMOND TO THE
AIRPORT AND WERE ON THE OBSERVATION PLATFORM AT THE
TIME OF HIS DETENTION, WERE ALSO DETAINED AND A
ROLL OF FILM BELONGING TO ONE OF THEM WAS CONFISCATED.
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THESE PERSONS WERE HELD FOR ABOUT 30 MINUTES AND RELEASED.

FURTHER, AS YOUR EXCELLENCY IS DOUBTLESS AWARE, IT COMMON KNOWLEDGE IN BOTH THE REPUBLIC OF PANAMA AND IN THE CANAL ZONE THAT MRM DRUMMOND HAS BEEN AN OUTSPOKEN CRITIC OF THE GOVERNMENT OF PANAMA AND OF THE NEGOTIATIONS BETWEEN OUR GOVERNMENTS FOR A NEW TREATY RELATING TO THE PANAMA CANAL. THIS CANNOT BUT GIVE CAUSE TO BELIEVE THAT THE ACTIONS OF THE AUTHORITIES OF THE REPUBLIC OF PANAMA IN THIS CASE WERE INTENDED TO INTIMIDATE OR HARASS HIM IN ORDER TO DISCOURAGE HIS ACTIVITIES AND TO DISCOURAGE HIM FROM EXERCISING IN THE CANAL ZONE HIS RIGHT OF FREEDOM OF SPEECH AND EXPRESSION.

I MUST PROTEST, EXCELLENCY, THE ACTIONS OF OFFICIALS OF THE REPUBLIC OF PANAMA IN THIS CASE, WHICH CONSTITUTE A CLEAR VIOLATION OF THE AGREEMENT BETWEEN OUR TWO COUNTRIES ON AIR TRANSPORT SERVICES. I WOULD APPRECIATE YOUR EXCELLENCY'S ASSURANCE THAT CONDUCT BY OFFICIALS OF THE REPUBLIC OF PANAMA WHICH MIGHT LEAD TO ANY FURTHER VIOLATIONS OF THIS AGREEMENT WILL NOT RECUR.

ACCEPT, EXCELLENCY, THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERARION. UNQUOTE.
JORDEN

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Message Attributes

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Sent Date: 14-Feb-1977 12:00:00 am
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Disposition Approved on Date:
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Executive Order: N/A
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Handling Restrictions: n/a
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Review Release Date: n/a
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Secure: OPEN
Status: NATIVE
Subject: DETENTION AND RELEASE OF WILLIAM DRUMMOND
TAGS: CASC, PFOR, PN, (DRUMMOND, WILLIAM)
To: STATE
Type: TE
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